

NOTICE OF PUBLIC HEARING
AND PUBLIC MEETING
STATE OF NEBRASKA
DEPARTMENT OF WATER, ENERGY AND ENVIRONMENT (DWEE)
ENVIRONMENTAL QUALITY COUNCIL

Notice is hereby given pursuant to Neb. Rev. Stat. §81-1505(12), §84-907, and §84-1411, the Nebraska Environmental Quality Council (EQC) will hold a public meeting and public hearing on February 12, 2026, beginning at 12:00 P.M. Central Time (CT) virtually at <https://tinyurl.com/EQCFeb2026> and at 245 Fallbrook Blvd., Room 023, Lincoln, Nebraska. The purpose of the hearing is to take testimony and evidence of proposed amendments to Title 129 – Nebraska Air Quality Regulations. Following the hearing, the EQC will vote on the adoption of the proposed amendments to Title 129.

The meeting agenda and a draft copy of the proposed regulation scheduled for hearing are available at the DWEE's Lincoln office, 245 Fallbrook Blvd, Suite 100, Lincoln, NE 68521 and on the DWEE website at <http://dwee.ne.gov>. A draft copy of the proposed regulations scheduled for hearing are also available at the Office of the Secretary of State, Regulations Division, 1201 N St., Suite 120, Lincoln, NE, 68508. The description of the fiscal impact of the proposed regulations on state agencies, political subdivisions, or persons regulated is also available at DWEE's Lincoln office and the Office of the Secretary of State, Regulations Division. There will be no fiscal impact from the proposed changes.

All interested persons may attend and testify orally or by written submission at the public hearing. Interested persons may also submit written comments by mail addressed to: EQC, 245 Fallbrook Blvd, Suite 100, Lincoln, NE 68521 or electronically to DWEE.eqc@nebraska.gov prior to the hearings, which will be entered into the hearing record if received by 5:00 P.M. CT, February 11, 2026.

Please notify the DWEE at least one week in advance of the EQC meeting if auxiliary aids or reasonable accommodations or alternate formats of materials are needed. Contact phone number is 402-471-2186. TDD users call 800-833-7352 and ask the relay operator to call us at 402-471-2186.

A public hearing will be held on the following:

Amendments to Title 129 – Air Quality Regulations. Title 129 protects the health and safety of the public by regulating air quality throughout the state. Neb. Rev. Stat. § 81-1501 & § 81-1505. DWEE administers Title 129 Air Quality Regulations, which impact regulated sources of air pollutants in the state. The proposed revisions will ensure that state regulations contain language that is clear, complete, and current. The Department proposes revisions to all chapters of the regulations to correct typographical, grammatical, and formatting errors; clarify and simplify regulatory language; update reference dates for federal regulations cited in the title; incorporate federal rulemaking; remove obsolete references; and reflect agency name change due to merger (LB317).

Additional proposed revisions by chapter include: Chapter 1 General Provisions; Definitions – add definitions of “air pollutant”, “council”, and “person”; Chapter 3 Construction Permits – reformat/review language to describe and clarify the construction permit process and activities allowed prior to receipt of a permit, list eligibility for preconstruction activities and required actions, and change notification timeframe from 30 to five (5) days; Chapter 6 Operating Permits – remove section 005, which references now-obsolete federal regulations; Chapter 11 Emissions Reporting, When Required – revise text to reflect the use of electronic emission inventory reporting; Chapter 12 New Source Performance Standards and Emission Limits for Existing Sources – incorporate New Source Performance Standards (NSPS) applicable to Nebraska sources; Chapter 13 Hazardous Air Pollutants – incorporate National Emission Standards for Hazardous Air Pollutants (NESHAP) applicable to Nebraska sources; Chapter 14 Incinerators, Emission Standards – revise language to clarify types of waste and materials permitted for burning; Chapter 15 Compliance – revise language to clarify exceptions to open fires and add “public power and irrigation districts” to the list of groups allowed to conduct burning for plant, wildlife, and parks management; Appendix I Hazardous Air Pollutants – add a second table with hazardous air pollutants sorted by chemical name.